

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Biran et al.

Confirmation No.: 8232

Serial No.: 10/733,588

Group Art Unit: 2133

Filed: December 11, 2003

Examiner: Chaudry

Title: Data Transfer Error Checking

Docket No.: FIS920030288US1  
(IBMF-0037)

REQUEST FOR RECONSIDERATION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on March 14, 2007, Applicant requests further examination and reconsideration of the present patent application.

Claims 1, 3-9, 11-17 and 19-20 remain rejected under 35 USC §103(a) as being obvious over Elzur (US Patent Application Publication Number US2003/0172342) in view of Applicant's Admitted Prior (AAPA). Applicant respectfully traverses the §103(a) rejection of the present patent application under the combination of Elzur in view of AAPA, and requests that the Examiner reconsider the rejection in light of the following remarks which were discussed in the Interview of May 1, 2007.

Independent claims 1, 9 and 17 of the present patent application each recites, *inter alia*, the limitation of calculating a CRC value and a TCP checksum value in parallel. In the Office Action, the Examiner submitted that Elzur teaches this limitation in FIGS. 9A-9B and 10A-10D, as well as in paragraphs 0047 and 0050. Applicant does not believe that FIGS. 9A-9B and 10A-10D and paragraphs 0047 and 0050 in Elzur disclose or suggest the limitation of calculating a CRC value and a TCP checksum value in parallel.

FIGS. 9A-9B describe a process for marking frames. Paragraph 0047 states that the steps described for FIGS. 9A-9B can be arranged in a different order and some steps can occur concurrently and some can be left out. These steps described in paragraph 0047 and shown in FIGS. 9A-9B include computing and placing a framing header in a TCP segment, computing and placing a DDP/RDMA header in the TCP segment, computing additional markers, determining the location of these additional markers and deciding whether to place these markers in the TCP segment, and computing and placing a CRC in the TCP segment.

None of the steps described in paragraph 0047 and shown in FIGS. 9A-9B appear to disclose or suggest calculating a TCP checksum. Because the steps described in paragraph 0047 and shown in FIGS. 9A-9B do not calculate a TCP checksum, Applicant submits that Elzur's teaching of doing some steps concurrently does not necessarily imply that Elzur calculates a CRC value and a TCP checksum value concurrently or in parallel.

With respect to FIGS. 10A-10D and paragraph 0050, Applicant also does not believe that these sections in Elzur teach or suggest calculating a CRC value and a TCP checksum value in parallel. As mentioned previously, Applicant agrees that paragraph 0050 discusses a CRC calculation and a TCP checksum, but there are no teachings in this description or in the drawings to suggest that Elzur calculates the CRC and TCP checksum in parallel. If anything, paragraph 0050 and FIGS. 10A-10D in Elzur suggest that the TCP checksum is calculated prior to determining the CRC value. In particular, Elzur teaches that if an error is detected by the CRC, then this is an indication that the error slipped through the TCP checksum test (see step 370 in FIG. 10D and discussion in paragraph 0050 that pertains to this step). Applicant believes that this is an indication that Elzur performs the TCP checksum test prior to calculating the CRC. There is nothing further in paragraph 0050 or FIGS 10A-10D to suggest that Elzur calculates a CRC value and a TCP checksum value in parallel. Moreover, Elzur does not provide a statement in the description that coincides with FIGS. 10A-10D that indicates that the steps shown in these figures can be done concurrently. This statement is only provided for the process of marking frames as shown in FIGS. 9A-9B and not for the process of receiving frames as shown in FIGS. 10A-10B.

Since both Elzur and AAPA calculate a CRC value at a different time than the TCP checksum validation, Applicant submits that the combination of Elzur in view of AAPA does not disclose or suggest calculating a CRC value and a TCP checksum value in parallel. Therefore, Applicant submits independent claims 1, 9 and 17 are patentably distinguishable over the combination of Elzur in view of

AAPA. Claims 3-8, 11-16 and 19-20 depend directly or indirectly from now presumably allowable claims 1, 9 and 17, respectively, and thus are allowable by dependency. Accordingly, Applicant requests that the Examiner reconsider and remove the §103(a) rejection of claims 1, 3-9, 11-17 and 19-20 under the combination of Elzur in view of AAPA.

In view of the foregoing remarks, Applicant requests that the Examiner reconsider this application and allow claims 1, 3-9, 11-17 and 19-20.

If the Examiner has any questions regarding the present patent application, the Examiner can call Applicant's attorney, David C. Goldman, at telephone number (518) 449 0044.

Respectfully submitted,

/David C. Goldman/

David C. Goldman  
Attorney for Applicant  
Registration No. 34,336

Dated: May 4, 2007

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
Phone: (518) 449 0044  
Fax: (518) 449 0047